

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF GEORGIA**  
**SAVANNAH DIVISION**

RANDALL WAYNE TURNER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CV411-015
	)	
EFFINGHAM COUNTY JAIL,	)	
	)	
Defendant.	)	

**ORDER**

Having broken his tooth while eating Effingham County Jail food, inmate Randall Wayne Turner filed this 42 U.S.C. § 1983 case against the jail, doc. 1, seeking “proper medical treatment” plus other damages. *Id.* at 5. The Court granted his *in forma pauperis* (IFP) motion but directed him to submit a Prisoner Trust Fund Account Statement and Consent to Collection of Fees form within 30 days. Doc. 3 at 4. It also warned him that failure to comply could result in dismissal of his case. *Id.* at 5. He failed (he filed only his Consent, doc. 6), so the Court recommended dismissal. Doc. 7.

Turner objected, doc. 9, and the district judge accepted his

explanation that he endured “difficulty in obtaining the statement from prison officials. However, [he] eventually obtained the documents, submitting them on April 13, 2011.” Doc. 11 (district judge’s Order declining to accept recommendation). Yet, that Prison Account Statement is *not* signed and certified by an authorized jail officer, doc. 10 at 1, so it will not be accepted. In a one-page submission accompanying that form, Turner says (in raw, unedited form):

Enclosed is the trust fund account statement that was order myself to get by the court the Administrations Trust Fund’s officer would not mail this info because it has confidential information I had to get it personally hand delivered.

Doc. 11 at 2.

This Court regularly receives § 1983 complaints from detainees who seek to proceed in forma pauperis. Rarely has any detainee complained that a jail’s financial officer has refused to furnish the required forms. The Court, therefore, suspects some mistake or error on plaintiff’s part rather than a willful refusal of his jail’s personnel to furnish the requested information. Indeed, having been assigned 42 U.S.C. § 1983 cases coming from the Emmanuel County Jail (where Turner is now housed) for many years, the undersigned has never seen the facility’s staff

intentionally impede a detainee's access to court by refusing to tender, and certify, his prisoner trust fund account records.

In order to move this case along, then, the Court **DIRECTS** the Clerk to forward to plaintiff a copy of his in forma pauperis motion (doc. 2), the order granting him in forma pauperis status (doc. 3), and two copies of his Prisoner Trust Fund Account Statement form. Further, the Clerk shall forward a copy of this Order to Marty Mercer, that Jail's Administrator. The Court is confident that the jail officials will cooperate with plaintiff in furnishing the forms if he follows the proper procedures. Plaintiff shall have 21 days from the date of this Order to return the forms. This is his final extension. Turner is warned that if has misled this Court, sanctions will issue.

**SO ORDERED**, this 20th day of May, 2011.

  
\_\_\_\_\_  
**UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT of GEORGIA**